Appeal No 74 of 1894-95.

Appellant-
Kala.

Respondent-
Kalasa

Dispute regarding the office of Kulavade of the Agrahara village in the Channarayapatna Taluk.

List of English papers.

(1) Prees
(2) Appeal petition
(3) Deputy-Commr's endorsement-
(4) do docket-
(5) Official Memorandum.

Being undisputed
forwarded on to
the Jud Councillor
15/1/96

The appl in and the Kalasa
the same appl appl in 1896
during Kalasa objs hold
duty for a term. That duty
not compr any of the appl
whose appeal is from here
for the par appl -

16-1-96

Drafts
16/1

P7. 48-95

G. R. S. 1X-5]

Previous references. 1894-95

192 .

(K. R.)

File No. 150-94

Serial Nos 1-5

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1-5

In ~~Part~~ B for January 1896.

SUBJECT.

Appeal of Kala Regarding his hereditary Office of Karnavadi of Agrahara Village in Chamarajapatna Taluk.

Communicated

2

47

Hassan Deputy Commissioner's letter
No. [illegible]/5 dt. 2nd April 905 forwarding
correspondence in re Kulavadi Kala
of Agrahara, Sandigenahalli Hobli,
Channarayapatam Taluk.

Re the complaint of the Shanbhoga,
Patel, and Settler of the Agrahara
village, that Kala the Kulavadi
of the village did not attend to his
duties, the amildar of Channaraya-
patna [illegible] submitted his report to
to the Deputy Commissioner concern-
ing Kalava's conduct. He has
stated therein that this was not the
first time that he had received
complaints against the said Kala
Kulavadi, that both he and the
patel were often absent and did
not attend to their duties although
warned not to do so; that in the
Karabalti register of Nos 3-14
Latha's name is entered as being
the hereditary Kulavadike
and it is also stated therein that
he is assisted by his son Kala
in the performance of his duties;
that Latha having died, his son

× Amildar's Report dt. 13th January 06
No (7)

person could be found.

In his deposition before the Amildar Kalasa has stated that himself and one Gidda are the sons of Lakka; that latter disappeared about 10 years ago, and it was not known whether he was dead or alive; that he was doing the duties of a Kulavadi and enjoying the inamati; that he did not wish his inams lands should be resumed and another given in exchange; that excessive assessment was not the reason for his not doing any work; that he was doing his work properly, only the patail smoked B-bhang and was not in his senses, and that ~~he was~~ through it was through the patails instigation the sheikdar and shanbhoge reported against him; that he has no near relations except a brotherinlaw.

012 Dj 10-8-89

The Amildar in submitting the above deposition and also the name of Kala for the kulavadeki has remarked that Kalasa's unwillingness to attend to his duties proceeded from his having to pay a higher assessment and to his carelessness as he enjoyed a good extent of land.

019 Dj 31st/January/90

Thereupon the Dy-Commr ordered the matter to be brought before him at the next Jamabundi.

020 Dj 24-2-90

The Dt. Collr accordingly passed the following order on 22nd/march/90.

(No 20/6) Dy 22-3-90

As the present kulavadi owns a large extent of land which he has to look after, he cannot very well attend to both the cultivation of his lands and the sarcar duties as kulavadi. He promises to appoint a gumasta (to look after the sarcar duties) and give him to the charge of the patail. He will be called upon to execute a mutchelika binding himself to appoint a gumasta, failing to do which within the given time his inam lands will be resumed and another kulavadi appointed in his place, by Govt.

(No 28) Dy 11-7-91

On 11-7-91 the patail in his deposition before the amildar states that the individual appointed by Kalasa as his gumasta had not only not satisfactorily worked under him, but that he had also disappeared: Thereupon the Amildar on 13th/July/91 issued a notice to Kalasa calling upon him to nominate his gumasta within the next two months

(30/6) Dy 13-9-91.

Kalan is now reported to be doing the duties of a Kuravadi and his name is not entered in the register that the ennuddingnar of Kalan is attend to his duties was due to his having to pay a higher assessment on his inam land than what is actually due under the Survey settlement. The Amildar therefore recommended the removal Kalan from the office of Kuravadi, the resumption of the inam land by Govt which when sold would realise not less than Rs 1,000 and the appointment of a different individual as Kuravadi giving him some dry cultivable waste land as inamati.

(A 38) dt 10-7-89

The DC communicated thereupon ordered the disposition of Kalan to be taken and submitted to his orders, as also the submission to him of the name of any competent person for the office of Kuravadi.

The Amildar called upon the Shekdar to furnish the name of a competent person, and the Patidar in submitting the name of Kalan Kala stated that he was the karavaddar and that the latter was leaving upon the duties of a Kuravadi and had for some reason made over to Kalan the inam Kuravadi; and that besides Kala no other competent

(No 32)

In December 9, the amildar reported to the Dy. Commr. Karwar, notwithstanding a notice had been served upon him, had failed to appear this gumasta and requesting further orders on the subject.

The Dy Commissioner thereupon directed the amildar to appoint a competent Kudaldi gumasta, to enquire individual to and hearing that the gumasta elected being to the present Kudaldi family a genealogical tree of which was also to be prepared.

Dy 9-2-92.

In the meantime

(No 33) Dy 9-2-93

subsequently one Kala presented a petition to the amildar stating that he was the eldest son of the Karanadar Kudaldi of Ajjanna, that his name appeared in the register of amildar as Kudaldi, that both his parents having died in the late famine he had to leave the place which he did accordingly with his 2 brothers, that when leaving the village he made over the Kudaldi office to Kalaa - his maternal uncle. He further state that as Kalaa is represented to be not doing his duties properly he may be appointed as the Kudaldi. The amildar rejected the petition with direction for report.

proper hakkadar. The Amildar will ascertain what Kala's claims to the office are. and he will accordingly call for the records from the H Narasipur taluk office. In his last petition Kalasa says that he had nominated a gumasta but that the patail discharged him and that he was therefore doing the duties himself. He also says he is ready to appoint one Kariya as his gumasta. How far this statement is true, the Amildar will ascertain, by issuing a notice to Kalasa to produce his man within a week and report the same to this office. The order of distrt distraint issued by the Amildar will be countermanded, as it was not sanctioned in this office.

Fo 62 D/21-2-94.

Kalasa represented to the Amildar that he would appoint one Hutcha as his gumasta, and that the distraint on the produce may be removed and the produce made over to him.

Fo 63

Hutcha also deposed before the Amildar that he was prepared to act as gumasta of Kalasa, till the latter's sons was able to do it himself, on receiving the agreed remuneration.

The Amildar accordingly ordered the removal of the distraint and appointed Palala & Rala both to do the Kulavadi's duties. | No 65 Dt 21-2-94

The records pertaining to the year 1876 having been received the Amildar in his subsequent communication to the Dy Commissioner reported as follows: No 67 Dt 23-3-94

It will be seen from the records that Kalasa owing to non performence of his kulavadi duties was dismissed and Rala the then near relation appointed in 1876. Kalas statement that in pursuance of the above order he was doing the duties, but that his parents having died and his house burnt he was compelled to leave the village and that he authorised Kalasa to look after the work in his absence but that Kalasa did not allow him to do the work on his return, are facts is not borne out by any records

Kalasa's statement that he had, as ordered, appointed a gumasta who was discharged by the patail cannot be believed in the face of the Sheikdar's report to the contrary. Kalasa has now put forward one Hutcha as his gumasta

In the meantime Kalava petitioned to the D.C. stating that he was the proper Kulkadai and not Kala as the patil and others would make it appear. This petition was also referred to the Amildar.

(No 4 a) dy 9-12-93

In his report to the D.C. the Amildar states that the truth of Kala's contention that he was the Kulkarni in 1875 can only be ascertained on a reference to the records of that date, when the village was included in the Nargund Amildar's jurisdiction. And that he had therefore called for those records which however had not been sent him. He examined In his examination of Kalava he was told that there was no near relation of his who was available for Kul Kulkarni duties as per D.C. notice. and that he had consequently ordered the temporary appointment of Kala (who represents himself as not only a Kulkadai but also a near relation of Kalava) as go Kulkarni generally, and also ordered the distraint of the produce of Kulkarni inamati land.

(No 50) dy 27-12-93.

(No 50/4) dy 30-1-94

The D.C. in his order on the above report states observes that the records, sent to Kalava as the

The village is a big one requiring the service of 2 Kulawadis, Orders are hereby solicited whether the work is to be performed by Kalas & Kala or Kalas & Kudiya.

The following order was passed on the above report by the D.C. Lambton

Kala does not belong to the Kattadara family. He appears to have been appointed during Kalasi absence in 1870. The Kalasi statement that he made over the office to Kalasa cannot be implicitly believed, nor can it be decided how Kalasa came to look after the Kulawadi duties. As Kala is not a Kattadar and as he has vacated his appointment his claim again for Kulawadike cannot be entertained. The Karabolatti register gives the name of a single individual as the Kattadar. Although the exigencies of work may require the service of two Kulawadis yet as Kala is not the nominee of the

A 1 d/c 7/12/1874

LR 150-94-1. 12 (1) No. 1447

Submitted to Council
In time
Stamp deficient
1/28/11

Gen. Serial No. 32.]

189

No. CR No 308

Name of Petitioner. Kulwadi Kala

Village. Dindigana Hobli

Taluk. Channarayapatna

District. Hassan

Date of Arzi. 2-10-94.

Date of Receipt.

Date of Disposal.

No. of Enclosures. One

Two Rupees Stamp affixed

ABSTRACT.

Appeals against the order of the Deputy Commissioner in having removed him from the post Office and prays that he may be confirmed in his Office as Chakra

Council Case

1/27/11

The order of the Dy Commr should be translated

1/27/11

Deputy Commissioners order dated 25/7/94.—

" Read — the marginally noted petitions presented by yn and the connected correspondence ending with the Amildar's report no 1548/1877 of 6/6/94. It does not appear that yn have any right to the post of Kulvadi of this Aprahara village. nor are yn a legitimate Claimant of the family to which the present registered holder Kalasa son of Lakka (of the post) belongs. When the claimant Kalasa was discharged in 1876 on the ground of his not having satisfactorily done his duties, yn were appointed in consideration of yr being connected with the family in the female line. Yn say that after two or three years' service, yn entrusted the post to the claimant Kalasa. no references are forthcoming to give any clue as to how yn lost the appointment or how Kalasa ~~got the post again~~ was reinstated. As a long time has elapsed since

No 332 of 30/31
" 373 of 41/51

Inamdar, the arrangement proposed by the Amildar cannot be sanctioned. Work should be got done by Kutcha the gemasta of Kalasa

Kala Lamani prefered his claim again before the Dharwar in his petition of 4-7-95 this 4th claim are however rejected by the Dharwar.
(Vide abstract).

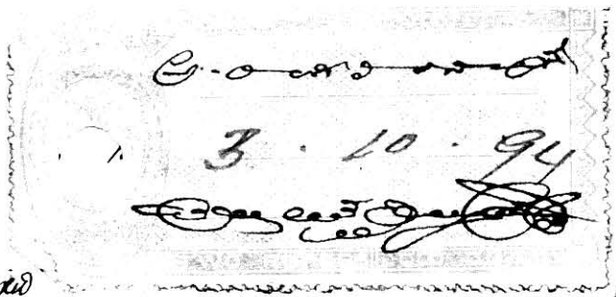
He now appeals to the Govt
(Vide petition in English)

Left
15-7-95.

157

1447
23/11

29-1-96



Two Rupees Stamp affixed

(2)

In the Court of the Deputy to
His Highness the Maharajah
of Mysore.

1447 R
23-11-96

Revenue appeal No: of 1896-95- Mysore

Appellant .... Kulavadi Kala residing 308 in
Agrahar Dindigana & Hobli
Channarayapatam Taluk.

S. 74 of 1896-95

against

Respondent: ..... Kulavadi Kalara residing in
the same village same Taluk.

The appellant above named begs to appeal to this honourable Court against the order passed by the deputy commissioner of Hassan District dated 25th day of July 1896. for the following reasons namely:-

1 That the deputy commissioner has not decided correctly in holding that the appellant Chakra (ಚಕ್ರ) has no right to the office

2 That the orders of the amildar and deputy commr: passed in 1876 clearly show that the appellant who is a "chalavadi" was appointed to the office of Kulavadi; the subsequent proceedings and reports of the amildar and the other evidence clearly show that the appellant has been doing the duties of Kulavadi

3 That the deputy commissioner is in error in removing the appellant entirely from the office

For these reasons the appellant most

Since he came to the employment
of the post, second time, your
prayer for the post in
preference to Kalasa
cannot be granted

Copies of correspondence
without seal or signature,
produced by you are
herewith returned

Pet-
904 (2)

LR 150-94-2

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 1447

dated 2-10-94 received at the

Dewan's Office from Kulwadi Kala
of Dindigunabobli, Chenna
royapatna Taluk, appealing
against the Dy: Commrs
order removing petitioner
from the Office of Kulwadi
of the village

is forwarded, together with its one

enclosures, to the Deputy Commr.
Hassan with for submission
of the entire proceedings
connected with the case
2 The Petr & enc: should
be returned

By Order,

Draft
(Council order)

Chief Secretary.

BANGALORE,
30-11-1894

6/12

SWR 1/12
30/11

M.G.C.P, Bangalore.—3-5-94.—1,000.

No.

Inspectorship dept Trade & Customs & Inland Revenue
Commissioner of Customs may at any time call for
the appellant's passport in his office at
Chatham"

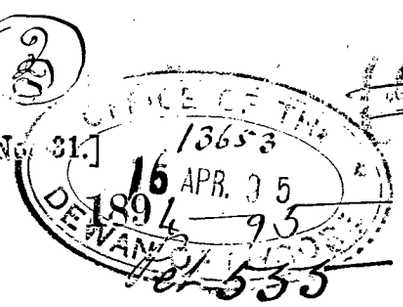
Dated October 9th 1913

Registrar

Appeals for appellant

18

Gen. Serial No. 31.]



Per LR 150-94-3

From The Deputy Commissioner
Kanara District

To
The Chief Secretary to the Government
Dewan of Mysore.

Dated 12th
Despatched } April 1895.
Received

Enclosures—No. 2 & 113 in 17th

General No. 747
No. 87

Original Petition No. 904
of 30th November 1894,
calling for the submission
of the certified proceedings
connected with the petition
of Jairam Kulavadi Kala
of Ayrodi, Dandeli taluka
Kanara, Complaining
Torture.

Ver: file ending with Conveyance
Jairam Kulavadi Kala
1568 of 6th June 1894.
1577

~~Jairam Kulavadi Kala~~
~~No 684 of 30 12 94~~
637

—

Mas

20

LR 150-94-4

(8) (9)

Proceedings of the Govt of Mysre

Read:—

(1) Petition ~~of appeal~~ No 1447/74 of 1894-95, presented by Kala of Agrahara village, Channarayapatna Taluk, appellant, against the order of the Deputy Commr of Hassan rejecting Appellant's claim to the office of Kulavadi of the Agrahara village.

27-1-96.

(2) Records received with the Hassan Deputy Commr's docket No 747 dated 12th April 1895, ~~which shows the facts of~~ connected with the facts of which are briefly the case, ~~to be as follows:—~~ these:—

Respondent-Kalasa was the Kulavadi (Halepan) of Agrahara prior to 1876. As he owned a ~~Complaints of irregularity and frequent~~ neglience, ~~absence from the village having been received against him,~~ he ~~has~~ removed from the ~~office~~ in that year, and

Complete content of land which he must work after he neglected the duties of his office which led to his removal.

the Appellant Kala, or his relative of his
in the female line, was appointed to do duty
in his place. It is not known
when and how the Respondent
again resumed the office. Appellant
alleges that after performing the duties of the office for a short time
~~doing duty for some time~~, he asked the Respondent
to do duty, when he went to
Malnad and that, on his return,
Kalasa refused to vacate the
office. But there is nothing
in the records to support this
allegation. Anyhow Kalasa
was in office in 1888 when there
was again a complaint of disobedience
and negligence of duty against
him. In 1892, the Deputy Com-
missioner ordered that a
competent member of his
family should be appointed
as his gumasta. Appellant
Kala then put forward his
claim to the office, basing
it on his appointment in
1876. But the Deputy Com-
missioner rejected his claim

or

May the honour to submit herewith the enquiry
noted entire correspondence enclosed with the
case as called for in the above.

2. The petition with its enclosures received with
the above is herewith returned. /

M. Burnaby

Deputy Commissioner

Nassau District

Lr 150-94-5

237

(8)

29-1-96

నెంబరు
1447 లో
B.S.74

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 18/6 [illegible]

By Order

Draft
S.V.
17/1/96.

Revenue Secretary.
18/1

[illegible]

[illegible]

[illegible] 18/6 [illegible]

By Order

Revenue Secretary

Pet C
22.1.96

27

In the grounds that he was not a member of the Mahalan family and that he ~~was not~~ had been removed from the office ~~of Lt. Col. performing the duties~~; and appointed Khalasi Ramnee Mucha as Lt. Jemadar. The present appeal is against this order.

— x —

~~Petition~~

No 6085
P.R. 28-9-95

Khalasi Jamyal - Surveyor

The appellant is not the Mahalan. He was regularly appointed in 1876 during Khalasi absence, & do duty for a time that did not confer any right on appellant whose appeal is groundless and is, therefore, rejected

21/1/96

Sd/-
C.I.G.

H Goh
18/1
Revenue Secretary

26.1.96

To the Deputy Commr
Kangra District
with records.

17/1/96.

RD 28/1